CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

NOVEMBER 2, 2010

CLOSED SESSION:
At 6:15 p.m. Mayor Lavagnino announced that the Closed Session scheduled for this time had been cancelled.

INVOCATION:
Rev. Dave Thomas from Mission Based Prayer Group gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Orach led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Orach, Patino, Zacarias, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Fire Chief Jones, Director of Public Works/City Engineer Whitehead, Director of Utilities Sweet, Police Chief Macagni, Director of Community Development Appel, Director of Administrative Services Visé, and Chief Deputy City Clerk Perez.

PROCLAMATION – NATIONAL DRUG FACTS WEEK
Councilmember Patino read a proclamation declaring the week of November 8 – 14, 2010, as "National Drug Facts Week" in the City of Santa Maria and urging all residents to participate in the activities planned for the week. The proclamation was accepted by representatives from Fighting Back Santa Maria Valley.

GEM AWARD
City Manager Ness presented "Going the Extra Mile or GEM" Awards to Joylyn Castaing, Code Compliance Officer I, and Deborah Hildinger, Library Assistant I.

Joylyn Castaing was nominated for her compassion and creative teamwork to address blighted neighborhood issues. She coordinated a grass-roots home makeover for an occupant unable to fend for herself and in dire financial straits, transforming her home from a neighborhood eyesore. Another time, she paired with a local non-profit to capture and rehabilitate neglected or abandoned domestic cats and kittens. She did this all without any additional cost to the City.

Deborah Hildinger was nominated for her commitment to the Arts and to bringing new methods of programming and outreach to adult and children's services which heightened public involvement in the Arts and the Santa Maria Public Library. Her creativity and can-do attitude brings fresh and varied exhibitions and performers to the Library. Her crowning achievement thus far was coordinating the National Arts Program exhibition in August, which was enthusiastically received by the community.

Both recipients thanked the Council for the honor.

PUBLIC COMMENT
Bob Ziener suggested that the audience give the City Council and staff a round of applause for the great job done this year for the City of Santa Maria. He talked about the local DMV office closing.

Roy Allen spoke about a flyer mailed by the Santa Maria Police Officer's Association regarding Councilmember Patino. He said it was garbage and despicable, and the Association should be ashamed of themselves.

CONSENT CALENDAR
Councilmember Cordero requested Item 3E be pulled for comment.

Item 3E – Ordinance No. 2010-12, Notice of Nuisance
Councilmember Cordero stated this ordinance would offer additional protection to people in the community who were trying to buy a home. It would let them know if there were nuisance problems with the property. He felt it was a good ordinance.

Consent Calendar Items 3A through 3G were approved on motion by Councilmember Orach, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of October 19, 2010, were approved as submitted.

C. WARRANTS
Warrant Nos. 162172 to 162474 totaling $975,883.06 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 152622, 152996, 156308, 161908, 162186, and 162305 were cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. ADOPTION OF ORDINANCE NO. 2010-12
The City Council conducted the second reading and adopted Ordinance No. 2010-12 amending Section 5-6.203 to include a provision for recording of a Notice of Nuisance document to provide notice of the existence of a public nuisance.

Ordinance No. 2010-12 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING SECTION 5-6.203 OF THE SANTA MARIA MUNICIPAL CODE, PROVIDING FOR RECORDING NOTICES OF NUISANCE ON PROPERTIES WITH PUBLIC NUISANCES AND RECORDING OF NOTICES OF RELEASE UPON ABATEMENT OF SUCH NUISANCES.

F. ADOPTION OF ORDINANCE NO. 2010-10
The City Council conducted the second reading and adopted Ordinance No. 2010-10 amending Title 9 of the Santa Maria Municipal Code to adopt the 2010 California Building Code, Green Building Standards, Residential Building Code, Plumbing Code, Electrical Code, Mechanical Code, Historical Building Code, and the Existing Building Code, with local amendments.

Ordinance No. 2010-10 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTERS 9-1, 9-2, 9-4, AND 9-10, AND DELETING CHAPTER 9-7 OF TITLE 9 OF THE SANTA MARIA MUNICIPAL CODE.

G. ADOPTION OF ORDINANCE NO. 2010-11

The City Council conducted the second reading and adopted Ordinance No. 2010-11 amending Chapter 9-3 of Title 9 of the Santa Maria Municipal Code to adopt the 2010 California Fire Code, with amendments.

Ordinance No. 2010-11 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTER 9-3, FIRE PREVENTION CODE, OF TITLE 9 OF THE SANTA MARIA MUNICIPAL CODE.

FINANCIAL REPORT FOR FIRST QUARTER ENDING SEPTEMBER 30, 2010, AND A BUDGET AMENDMENT REPORT FOR FISCAL YEAR 2010-11.

Director of Administrative Services Visé gave the staff report. With 25 percent of the year complete, revenues are at 13.9 percent of projections while expenditures are at 21.2 percent of appropriations. Revenues are less than budgeted primarily because property tax revenues are not received until December and April each year. Total revenue and transfers are $7.4 million which is $63,980 less than last year. The sluggish economy has taken a toll on the City's revenues. Nearly every key revenue source is down compared to prior years. The total General Fund expenditures, including debt service and transfers out, were $11.5 million. In the Water/Wastewater Fund, expenditures exceeded revenues by $6.2 million, primarily because of large capital project expenses and payments for State Water. In the first quarter, the Water/Wastewater Fund spent $2.4 million on capital projects such as the fixed base metering project for $1.7 million and $449,000 on water main replacements. In the Solid Waste Fund, refuse expenses exceeded revenues by $2.5 million. The most significant expenditure was $2.5 million for the Los Flores Ranch Development Plan. The annual budget for this capital project item is $9.3 million. There are sufficient reserves in the Solid Waste Fund to cover the anticipated negative cash flow resulting from the quarterly loss. He reminded the Council that even though the recently adopted State budget did not take any additional revenue away from the City, the City was still required to pay $96,000 in Redevelopment Agency (RDA) tax increment to the State to help balance the State budget. A budget amendment report is included for Council's consideration.

Mayor Lavagnino asked if the Redevelopment Agency tax increment would come from General Fund reserves.

Director Visé explained that all the RDA tax increment went to pay debt service and the $96,000 would come from the General Fund reserves.

Councilmember Zacarías asked what Possessory Tax was.

Director Visé explained that when private individuals, companies or corporations lease, rent or use federal, state or local government-owned facilities and/or land for their own beneficial use, a taxable possessory interest may exist. In Santa Maria, Macy's sits on land owned by the RDA which does not pay any taxes. The Assessor's Office bills Macy's a property tax bill called a Possessory Interest Tax.

Resolution No. 2010-125 was adopted approving an amendment to the 2010-11 Budget on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2010-125 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AMENDMENT TO THE 2010-11 BUDGET AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE SAME.

CITY MANAGER'S REPORT

City Manager Ness reported on items anticipated for the November 16, 2010, City Council meeting including a Call for Bids for Fire Station #3 and public hearings for the

Housing Element Update, amendments to the Sign Ordinance, and the Coles Development Agreement.

Councilmember Zacarias asked for a status update on the closing of the DMV office.

City Manager Ness explained that Santa Maria was one of four DMV offices that would be closed on November 8th. He said immediately after learning of the proposed closure, he, the Mayor, and Councilmember Cordero all contacted Lieutenant Governor Maldonado. He also contacted Senator Blakeslee's office, and they did not know about the DMV closing and were shocked. Senator Blakeslee and Lieutenant Governor Maldonado were seeing what they could do about it. To date, the City had not heard that the decision to close had been reversed. Staff was still fighting the battle to keep it open, and appreciated the calls made by the Mayor and Mayor Pro Tem.

Mayor Lavagnino stated there were some rumors that the City of Santa Maria was supposed to build a new building for the DMV. That was not the deal. He explained the negotiations with the DMV that had taken place over the past several years and DMV's actions.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Orach stated that since it was election night and in the interest of time, he had nothing to report.

Councilmember Zacarias encouraged everyone to get out and vote if they hadn't already.

Mayor Lavagnino reported he met with Senator Sam Blakeslee on a variety of issues and concerns, attended the YMCA Dinner, the Santa Barbara County Association of Governments meeting, the Air Pollution Control District meeting, the Santa Maria Radiation BBQ, the Central Coast Water Authority meeting, met with representatives from PG&E regarding the Smartmeter Deployment, and attended the Toys for Tots kick-off event.

Councilmember Patino reported she attended El Camino Jr. High School's ACES class, the Luis Oasis Senior Center reception, the CASA fundraiser, the Block Grants Advisory Committee Needs Assessment workshop, the Manufacturer's Association meeting, the Empty Bowls fundraiser for the Food Bank, the Society of Petroleum Engineers Dinner, and the Fighting Back Santa Maria Valley Board meeting.

Councilmember Cordero reported he attended the Lights On After School Program at several elementary schools, a Peace Week Committee meeting, the People's Self Help Housing 40th Anniversary Celebration, celebrated his 36th wedding anniversary, attended the Empty Bowls Fundraiser, the Society of Petroleum Engineer's Dinner, and the meeting with PG&E representatives.

ADJOURNMENT

There being no further business to come before the City Council at this time, the meeting was declared adjourned at 7:08 p.m. by Mayor Lavagnino.

APPROVED

November 16, 2010
Date

Chief Deputy City Clerk and ex officio
Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria